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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,695	12/09/2003	Michael B. McAvoy	030048124US	3269
25096	7590	06/02/2006	EXAMINER	
PERKINS COIE LLP			MANCHO, RONNIE M	
PATENT-SEA				
P.O. BOX 1247			ART UNIT	PAPER NUMBER
SEATTLE, WA 98111-1247			3663	

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/731,695

Applicant(s)

MCAVOY, MICHAEL B.

Examiner

Ronnie Mancho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-70 is/are pending in the application.
- 4a) Of the above claim(s) 9, 10 and 14-70 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 11-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/19/04; 5/25/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election *without traverse* of claims 1-13, and further elects species F (fig. 6) in the reply filed on 12/16/06 is acknowledged. Species F (Fig. 6) reads on claims 1-8, 11-13. Species E (fig.5) i.e., "a wireless component" reads on claim 10, while species D (figs. 4a-c) i.e., "touch-key on a display screen" reads on claim 9.

Applicant did not elect species D nor E. Therefore, claims 9&10 are considered non-elected since they do not fall in elected species F. Applicant is therefore advised to withdraw claims 9&10 in response to this office action.

2. Claims 14-70 have been withdrawn by applicant from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected elected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 12/16/05.

### *Claim Objections*

3. Claims 2, 3 are objected to because of the following informalities:

In claim 2, the applicant is advised to write "different than the qualitative component" as --, wherein the qualitative component is different from quantitative component -- for clarity.

In claim 3, the applicant is advised to write "different than the load component" as --, wherein the qualitative need component is different from quantitative load component -- for clarity.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 4, “the relative needs of” lack antecedent bases. It is not clear what all is meant and encompassed by the phrase, “the relative needs of”. One cannot ascertain if the applicant is referring to “a relative need of” the first appliance in regard to the second appliance, or “a relative need of” the first appliance in regard to some condition, or “a relative need of” the second appliance in regard to the same or another condition.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-9, 11-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Weiler et al (5936318).

Regarding claim 1, Weiler et al (abstract, figs. 1-3; col. 2-6) disclose a method for distributing electrical power to a plurality of electrical devices in a vehicle, the method comprising:

receiving at least a first operating command for at least one of the plurality of electrical devices (i.e. operator inputs an operating command for power consuming devices, a processor 27 receives the command for processing; col. 1, lines 50-55; col. 2, lines 1-43; col. 3, lines 45-51);

in response to receiving the operating command, polling the plurality of electrical devices for power requests (i.e. a controller 27 checks devices or monitors the load or power request from the devices; col. 5, lines 65 to col. 6, lines 1-21; col. 5, 33-49);

receiving at least one power request from the plurality of electrical devices in response to the poll (i.e. since the processor continually measures the prevailing load from the devices, the processor is polling the devices before and after a given poll; col. 5, lines 65 to col. 6, lines 1-21); and

distributing power to the electrical devices based on the at least one power request received from the plurality of electrical devices (col. 5, lines 65 to col. 6, lines 1-21).

Regarding claim 2, Weiler et al (abstract, figs. 1-3; col. 2-6) disclose the method of claim 1 wherein receiving the at least one power request includes receiving a power request having a quantitative component and a qualitative component, wherein the qualitative component is different than the quantitative component (i.e. priority and consumption load; col. 4, lines 19-38; col. 6, lines 38-51).

Regarding claim 3, Weiler et al (abstract, figs. 1-3; col. 2-6) disclose the method of claim 1 wherein receiving the at least one power request includes receiving a power request having a quantitative load component and a qualitative need component, wherein the qualitative need component is different than the qualitative load component (i.e. priority and consumption load; col. 4, lines 19-38; col. 6, lines 38-51).

Regarding claim 4, Weiler et al (abstract, figs. 1-3; col. 2-6) disclose the method of claim 1 wherein receiving the at least one power request includes receiving a first power request from a first appliance and a second power request from a second appliance, and wherein distributing power to the plurality of appliances includes distributing power to the first and second appliances based on the relative needs of the first and second appliances (i.e. priority and consumption load; col. 4, lines 19-38; col. 6, lines 38-51).

Regarding claim 5, Weiler et al (abstract, figs. 1-3; col. 2-6) disclose the method of claim 1 wherein the plurality of electrical devices includes at least first and second aircraft galley appliances (col. 2, lines 63-67), wherein receiving the at least one power request includes receiving a first power request from the first galley appliance and a second power request from the second galley appliance (col. 4, lines 19-38; col. 6, lines 38-51), wherein the method further comprises sorting the first and second power requests in descending order of need, and wherein distributing power to the plurality of electrical devices includes distributing power to the first and second galley appliances based on the sorting of the first and second power requests (col. 4, lines 19-38; col. 6, lines 38-51).

Regarding claim 6, Weiler et al (abstract, figs. 1-3; col. 2-6) disclose the method of claim 1, further comprising receiving a preset allocation of electric power for distribution to the plurality of electrical devices, and wherein distributing power to the electrical devices includes distributing a total amount of power that does not exceed the preset allocation (col. 4, lines 19-38; col. 6, lines 38-51).

Regarding claim 7, Weiler et al (abstract, figs. 1-3; col. 2-6) disclose the method of claim 1 wherein receiving at least a first operating command for at least one of the plurality of

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electrical devices includes receiving an operating command from a user via a display screen operably coupled to the at least one electrical device (col. 1, lines 46-55; col. 2, lines 33-44; col. 3, lines 38-51).

Regarding claim 8, Weiler et al (abstract, figs. 1-3; col. 2-6) disclose the method of claim 1 wherein receiving at least a first operating command for at least one of the plurality of electrical devices includes receiving an operating command from a user via a display screen operably coupled to the at least one electrical device and positioned remote from the at least one electrical device (col. 1, lines 46-55; col. 2, lines 33-44; col. 3, lines 38-51).

Regarding claim 11, Weiler et al (abstract, figs. 1-3; col. 2-6) disclose the method of claim 1 wherein receiving at least a first operating command includes receiving first and second operating commands, the first operating command corresponding to a first galley appliance on an aircraft and the second operating command corresponding to a second galley appliance on the aircraft (col. 2, lines 63-67; col. 3, lines 24-36).

Regarding claim 12, Weiler et al (abstract, figs. 1-3; col. 2-6) disclose the method of claim 1 wherein receiving at least a first operating command includes receiving an operating command from a user (col. 1, lines 45-55; col. 2, lines 28-43; col. 3, lines 38-51).

Regarding claim 13, Weiler et al (abstract, figs. 1-3; col. 2-6) disclose the method of claim 1 wherein receiving at least a first operating command includes receiving an automatically (col. 2, lines 1-12; col. 4, lines 2-5) generated operating command from a vehicle system (controller 27).

### *Communication*

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 571-272-6984. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ronnie Mancho  
Examiner  
Art Unit 3663

A handwritten signature in black ink, appearing to read "Ronnie Mancho", is written over the printed name and title.

5/29/06